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PTO/SB/31 (08-03)

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NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number (Optional) 005127.00033				
I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office, to Fax No. 703-872-9306 on <u>December 10, 2004</u> . Signature <u>Thomas L. Evans</u> Typed or printed name <u>Thomas L. Evans</u>	In re Application of <u>Daniel R. Potter et al.</u> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Application Number 10/099,885</td> <td style="padding: 2px;">Filed March 14, 2002</td> </tr> </table> For CUSTOM FIT SALE OF FOOTWEAR <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Art Unit 3627</td> <td style="padding: 2px;">Examiner Andrew J. Rudy</td> </tr> </table>		Application Number 10/099,885	Filed March 14, 2002	Art Unit 3627	Examiner Andrew J. Rudy
Application Number 10/099,885	Filed March 14, 2002					
Art Unit 3627	Examiner Andrew J. Rudy					
Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner. The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$ <u>500.00</u> <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ _____ <input type="checkbox"/> A check in the amount of the fee is enclosed. <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. <input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. <u>19-0733</u> . I have enclosed a duplicate copy of this sheet. <input checked="" type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. I am the <input type="checkbox"/> applicant/inventor. <input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/90) <input checked="" type="checkbox"/> attorney or agent of record. Registration No. <u>35,805</u> <input type="checkbox"/> attorney or agent acting under 37 CFR 1.34(a). Registration No. if acting under 37 CFR 1.34(a) _____ <div style="text-align: right; padding-right: 50px;"> <u>Thomas L. Evans</u> Signature <u>Thomas L. Evans</u> Typed or printed name <u>202-824-3000</u> Telephone number <u>January 10, 2005</u> Date </div>						
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.						

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Signature <u>Thomas L. Evans</u> Typed or printed name <u>Thomas L. Evans</u>		Application Number 10/099,685	Filed March 14, 2002
		For CUSTOM FIT SALE OF FOOTWEAR	
		Art Unit 3627	Examiner Andrew J. Rudy
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Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)		Typed or printed name	
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